

information collection request; they will also become a matter of public record.

Dated: December 8, 1995.

John M. Robinson,

*Deputy Assistant Secretary, Employment Training Administration.*

[FR Doc. 95-30482 Filed 12-13-95; 8:45 am]

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## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. 94-3 CARP-CD 90-92]

### Distribution of 1990, 1991 and 1992 Cable Royalty Funds

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Announcement of the schedule for the proceeding.

**SUMMARY:** The Copyright Office of the Library of Congress is announcing the schedule for the 180 day arbitration period for the distribution of 1990-92 cable compulsory license royalties, as required by the regulations governing this proceeding.

**EFFECTIVE DATE:** December 14, 1995.

**ADDRESSES:** All hearings and meetings for the 1990-92 cable distribution proceeding shall take place in the James Madison Building, Room 414, First and Independence Avenue, S.E., Washington, D.C. 20540.

**FOR FURTHER INFORMATION CONTACT:** Marilyn J. Kretsinger, Acting General Counsel or Tanya Sandros, Copyright Arbitration Royalty Panel Specialist, at: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

### SUPPLEMENTARY INFORMATION:

#### I. Background

37 CFR 251.11(b) provides that:

At the beginning of each proceeding, the CARP shall develop the original schedule of the proceeding which shall be published in the Federal Register at least seven calendar days in advance of the first meeting. Such announcement shall state the times, dates, and places of the meetings, the testimony to be heard, whether any of the meetings, or any portion of a meeting, is to be closed, and if so, which ones, and the name and telephone number of the person to contact for further information.

This notice fulfills the requirements of § 251.11(b) for the proceeding for the distribution of cable compulsory license royalties for the years 1990-92.

On December 15, 1994, the Copyright Office published a notice in the Federal

Register requesting comment as to the existence of controversies to the distribution of the 1990 cable royalty fund. 59 FR 64714 (December 15, 1994). In response to this notice, copyright owners identified the existence of controversies for distribution of the 1990 fund, as well as the 1991 and 1992 funds. The copyright owners requested that the Office consolidate the 1990-92 funds into a single distribution proceeding.

On March 21, 1995, the Office published a notice consolidating the 1990-92 cable royalty distribution proceedings into a single proceeding, and announced the precontroversy discovery schedule. 60 FR 14971 (March 21, 1995). The Office also announced in that notice that controversies to the 1990-92 would be declared, and arbitration initiated, on November 17, 1995. 60 FR 14975. The parties, however, filed a motion with the Office on November 8, 1995, requesting a deferment of the commencement date until December 29, 1995. In response to this motion, the Copyright Office issued an Order which set December 4, 1995, as the new initiation date. Order, dated November 13, 1995.

On November 28, 1995, the Office announced the initiation of the 180 day arbitration period, pursuant to 37 CFR 251.72; the names of the arbitrators who will preside at the 1990-92 cable distribution proceeding; a delay of the initiation of the proceedings until December 4, 1995; and the date, time and place of the initial meeting of the proceeding. 60 FR 58680 (November 28, 1995).

This notice announces the present schedule for the entire proceeding.

#### II. The Schedule for the Cable Distribution Proceeding

The parties to this proceeding jointly proposed a preliminary schedule for the upcoming hearings to the Copyright Office on November 17, 1995. The Copyright Office, in turn, passed the proposed schedule to the arbitrators for their comments and approval. In response to a request from the arbitrators, the Joint Sports Claimants agreed to shorten their direct case, and rescheduled two of their witnesses for the rebuttal phase of the proceeding. Likewise, the National Association of Broadcasters agreed to conclude their case no later than December 20, 1995. Further refinements to the proposed schedule were made at the meeting on December 4, 1995. This schedule was finalized in an Order issued by the CARP panel. See CARP Order, dated December 8, 1995. Thus, the hearing

will proceed according to the following schedule:

#### Presentation of Direct Cases

##### Joint Sports Claimants

December 5-December 14, 1995

##### National Association of Broadcasters

December 14-December 20, 1995

##### Program Suppliers

December 20, 1995-January 12, 1996

##### Public Broadcasting

January 16-January 19, 1996

##### Devotional Claimants

January 22-January 26, 1996

##### Canadian Claimants

January 29-February 2, 1996

#### Deadline for Filing Written Rebuttal Cases

February 7, 1996

#### Deadline for Serving Requests for

Underlying Documents Related to Rebuttal Cases

February 9, 1996

#### Deadline for Responses to Requests for Underlying Documents

February 13, 1996

#### Deadline for Producing Documents

February 15, 1996

#### Deadline for Filing any Motions Related to Rebuttal Cases

February 15, 1996

#### Deadline for Filing any Oppositions to Motions

February 20, 1996

#### Presentation of Rebuttal Cases

February 27-March 15, 1996

#### Deadline for Filing Proposed Findings of Fact & Conclusions of Law

April 5, 1996

#### Deadline for Filing Responses to Proposed Findings of Fact & Conclusions of Law

April 17, 1996

#### Close of 180 day period

June 1, 1996

At this time, the parties have not moved to close any portion of the proceeding to the public. Further refinements to the schedule will be announced in open meetings and issued as orders to the parties participating in the proceeding; and all changes will be noted in the docket file of the proceeding, as required by the Copyright Office regulations governing the administration of CARP proceedings. 37 CFR 251.11(c).

#### III. Publication of the Original Schedule on Short Notice

The regulations require that the Copyright Office publish the original schedule for the CARP proceeding in the Federal Register at least seven calendar days in advance of the first meeting. 37 CFR 251.11(b). Pursuant to 37 CFR 251.11(d), however, the arbitrators voted to waive the seven day notice requirement. The results of the

vote on the question, whether the requirement for a seven calendar notice should be waived, are:

The Hon. Mel R. Jiganti, Chairperson—  
Yes

The Hon. John B. Farmakides—Yes  
The Hon. Ronald P. Wertheim—Yes

The arbitrators voted to suspend the notice requirement for several reasons. First, all parties to the proceeding had received notice of the proposed schedule approximately two weeks prior to the initiation of the proceeding. Second, the present schedule, which was fine tuned at the meeting on December 4, 1995, did not significantly alter the schedule initially proposed by the parties. Third, the meeting on December 4, 1995, which marks the commencement of the proceeding, was announced in a Federal Register notice seven calendar days before the meeting. And finally, the arbitrators and the parties anticipate the proceeding will require the full 180 days for hearing the testimony and preparing the decision. For the foregoing reasons, the arbitrators hereby waive the notice requirement, but comply with all substantive requirements of the rule.

Dated: December 11, 1995.

Marilyn Kretsinger,

*Acting General Counsel.*

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## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Record Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration, Office of Records Administration.

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Records schedules identify records of sufficient value to warrant preservation in the National Archives of the United States. Schedules also authorize agencies after a specified period to dispose of records lacking administrative, legal, research, or other value. Notice is published for records schedules that (1) propose the destruction of records not previously authorized for disposal, or (2) reduce the retention period for records already authorized for disposal. NARA invites

public comments on such schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Request for copies must be received in writing on or before January 29, 1996. Once the appraisal of the records is completed, NARA will send a copy of the schedule. The requester will be given 30 days to submit comments.

**ADDRESSES:** Address requests for single copies of schedules identified in this notice to the Records Appraisal and Disposition Division (NIR), National Archives and Records Administration, College Park, MD 20740. Requesters must cite the control number assigned to each schedule when requesting a copy. The control number appears in the parentheses immediately after the name of the requesting agency.

**SUPPLEMENTARY INFORMATION:** Each year U.S. Government agencies create billions of records on paper, film, magnetic tape, and other media. In order to control this accumulation, agency records managers prepare records schedules specifying when the agency no longer needs the records and what happens to the records after this period. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. These comprehensive schedules provide for the eventual transfer to the National Archives of historically valuable records and authorize the disposal of all other records. Most schedules, however, cover records of only one office or program or a few series of records, and many are updates of previously approved schedules. Such schedules also may include records that are designated for permanent retention.

Destruction of records requires the approval of the Archivist of the United States. This approval is granted after a thorough study of the records that takes into account their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and historical or other value.

This public notice identifies the Federal agencies and their subdivisions requesting disposition authority, includes the control number assigned to each schedule, and briefly describes the records proposed for disposal. The records schedule contains additional information about the records and their disposition. Further information about the disposition process will be furnished to each requester.

### Schedules Pending

1. Department of the Air Force (N1-AFU-96-1). Routine criminal investigative records.

2. Department of Education, President's Commission on Foreign Language and International Studies (N1-12-95-2). Administrative correspondence and reference files.

3. Department of State (N1-59-95-14). Routine, facilitative, and duplicative records from the Bureau of Economic Affairs, the Legal Adviser, the Bureau of Near Eastern and South Asian Affairs, and the Bureau of Security and Consular Affairs.

4. Department of the Treasury, Office of Thrift Supervision (N1-483-93-12). System activity and ad hoc reports created by the Holding Company Universe System.

5. Administration for Health Care Policy and Research (N1-510-94-1). Comprehensive records schedule.

6. Air Coordinating Committee (N1-220-94-8). Questionnaires, tabulations, and subcommittee records duplicating information in retained ACC records.

7. Bureau of Alcohol, Tobacco, and Firearms (N1-436-95-1). Certificate of Label Approval output records.

8. Federal Trade Commission (N1-122-95-3). Bureau of Economics Fertilizer Investigation Working Files, 1938-80.

9. Social Security Administration (N1-47-96-1). Reduction in retention period for employer reports of wages paid.

10. Tennessee Valley Authority (N1-142-94-3). Records created by the Internal Energy Management Program.

11. Tennessee Valley Authority (N1-142-95-11). TVA Form 13037, Acceptance of indemnification coverage and waiver of claims.

12. The White House Conference on Small Business (N1-220-95-16). Routine correspondence, working papers to publications, anonymous voting ballots, and press coverage documents.

13. United States Information Agency, Office of the General Counsel (N1-306-95-7). Reduction in retention period for records already approved for destruction.

14. United States Information Agency, Bureau of Management (N1-306-95-8). Routine records of the Office of Technology.

Dated: December 5, 1995.

James W. Moore,

*Assistant Archivist for Records Administration.*

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